

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

ALEXANDER R. RAMIREZ,)	
)	
Petitioner,)	
)	
v.)	Case No. 4:12-CV-03437-RBP-TMP
)	
ERIC H. HOLDER, JR.,)	
ATTORNEY GENERAL, <i>et al.</i> ,)	
)	
Respondents.)	

MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

In this action for habeas corpus relief under 28 U.S.C. § 2241, petitioner, Alexander R. Ramirez, seeks relief in the form of release pending his deportation to the United Kingdom pursuant to an order of deportation. When petitioner filed the instant action, he was being held in the Etowah County Detention Center, located within this district. On March 13, 2013, respondents filed a motion to dismiss the action as moot, supported by evidence, asserting that the petitioner has been released and was no longer in the custody of the Department of Homeland Security.

MOOTNESS

At the time petitioner filed the § 2241 petition, he was confined as an immigration detainee. In the motion to dismiss the petition as moot, the respondents demonstrated through the declaration of Adam Austin that petitioner was formally removed from the United States to the United Kingdom on January 9, 2013. Accordingly, it appears clear that petitioner has received the relief he sought, and there is no longer any case or controversy between the parties. The petition seeking release pending deportation is therefore moot and is due to be dismissed.

RECOMMENDATION

Because the instant petition is moot, the magistrate judge RECOMMENDS that the petition

for writ of habeas corpus be DISMISSED as MOOT.

Any party may file specific written objections to this report and recommendation within fifteen (15) days from the date it is filed in the office of the Clerk. Failure to file written objections to the proposed findings and recommendations contained in this report and recommendation within fifteen (15) days from the date it is filed shall bar an aggrieved party from attacking the factual findings on appeal.

The Clerk is DIRECTED to mail a copy of this Report and Recommendation to the petitioner at his most recent known address and to serve a copy upon the U.S. Attorney for the Northern District of Alabama.

DATED this 14th day of March, 2013.



T. MICHAEL PUTNAM
U.S. MAGISTRATE JUDGE